

Court of Appeals, Division One

Civil Appeal

1 CA-CV 15-0279

BMO HARRIS v. THRUSTON

Appellate Case Information

Case Filed: 30-Apr-2015
Case Closed:

Dept/Composition

Department A

Hon. Kenton D Jones
Hon. Randall M Howe
Hon. Donn Kessler

Side 1. BMO HARRIS BANK, N.A., Plaintiff/Appellee

(Litigant Group) BMO HARRIS BANK NA

- BMO Harris Bank NA

Attorneys for: Plaintiff/Appellee

John M O'Neal, Esq. (AZ Bar No. 15945)
Krystal Aspey Fleischmann, Esq. (AZ Bar No. 26609)

Side 2. MORGEN THRUSTON; HOWARD THRUSTON, Defendant/Appellant

(Litigant Group) MORGEN THRUSTON et al.

- Morgen Thruston PRO SE
- Howard Thruston PRO SE

CASE STATUS

Sep 22, 2016....Decision Rendered

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2013-003138	Trespass, Destruction of Property, Injunctive Relief		James T Blomo, Authoring Judge of Order		

DESCENDENT CASE(S)

ASC CV-16-0250-PR

OPEN DUE DATE

Petition for Review to ASC due

Due By: Wednesday, February 15, 2017

[4 extensions]

Re: MEMORANDUM DECISION (Affirmed) Hon Donn Kessler - Author; Hon Kenton D Jones Judge - Concur;
Hon Randall M Howe - Concur

CASE DECISION

22-Sep-2016 MEMORANDUM DECISION

Donn Kessler.....Author
Kenton Jones.....Concur
Randall Howe.....Concur

Filed: 22-Sep-2016 Mandate:

Decision Disposition

Affirmed

36 PROCEEDING ENTRIES

- 30-Apr-2015 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 04/02/15
- 30-Apr-2015 FILED: e-Record on Appeal: Instruments/Minute Entries
- 5-May-2015 FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
- 19-May-2015 FILED: Notice of Paying Filing Fee; Certificate of Service (Appellants Pro Per)
- 26-May-2015 RECEIPT No.: 2015-00720 ; \$280.00, Authorization: #46007581717, Applied to: MORGEN THRUSTON et al. - Class A Filing Fee (\$280.00) Paid for: Denna Denton - By Integrated Resource Systems IN
- 29-May-2015 FILED: Appellee's Notice re: Appellee's Fee/Appellant's Brief Due
- 10-Jun-2015 FILED: Notice of Paying Filing Fee; Certificate of Service of Notice of Paying Filing Fee (Appellee)

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8. 16-Jun-2015 RECEIPT No.: 2015-00827 ; \$140.00, Authorization: #67000796130, Applied to: BMO HARRIS BANK NA - Class B Filing Fee (\$140.00) Paid for: Quarles & Brady LLP - By Integrated Resource Systems IN
9. 30-Jun-2015 ORDERED: Extending the time for filing the Case Management Statement to/including 7/10/15. Melina Brill ProTem Judge - Author
10. 6-Jul-2015 FILED: Emergency Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
11. 7-Jul-2015 ORDERED: Emergency Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 07-06-2015 to Wednesday, 08-05-2015. Melina Brill ProTem Judge - Author
12. 5-Aug-2015 FILED: Emergency Motion for Extension of Time to file Opening Brief; Certificate of Service (Appellant)
13. 6-Aug-2015 FILED: Case Management Statement (Appellant)
14. 7-Aug-2015 ORDERED: Emergency Motion for Extension of Time to file Opening Brief (Appellant) = DENIED. Opening Brief due 08-17-2015 or dismissal. Barbara Vidal Vaught ProTem Judge - Author
15. 17-Aug-2015 FILED: Motion for 48 Hour Extension of Time to File Opening Brief; Certificate of Service (Appellant)
16. 18-Aug-2015 ORDERED: Motion for 48 Hour Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 08-17-2015 to Wednesday, 08-19-2015. If not filed timely, court shall dismiss this appeal. Melina Brill ProTem Judge - Author
17. 19-Aug-2015 FILED: Appellants' Opening Brief; Certificate of Compliance; Certificate of Service
18. 28-Sep-2015 FILED: Motion for Procedural Order: Request for Extension of Time to File Answering Brief; Certificate of Service of Motion for Procedural Order: Request for Extension of Time to File Answering Brief (Appellee)
19. 30-Sep-2015 ORDERED: Motion for Procedural Order: Request for Extension of Time to File Answering Brief(Appellee) = GRANTED. Due date EXTENDED from Monday, 09-28-2015 to Wednesday, 10-28-2015. Melina Brill ProTem Judge - Author
20. 28-Oct-2015 FILED: Appellee BMO Harris Bank, N.A.'s Answering Brief; Certificate of Compliance Regarding Appellee BMO Harris Bank, N.A.'s Answering Brief; Certificate of Service Regarding Appellee BMO Harris Bank, N.A.'s Answering Brief
21. 23-Nov-2015 FILED: Motion for Extension of Time to File Reply Brief; Certificate of Service (Appellant)
22. 24-Nov-2015 ORDERED: Extending the time for filing the Reply Brief to 1/4/16. FURTHER ORDERED: Appellants shall advise court within 10 days whether this appeal is subject to automatic bankruptcy stay. Barbara Vidal Vaught ProTem Judge - Author
23. 5-Dec-2015 FILED: Response to Courts Order Regarding Bankruptcy; Certificate of Service (Appellant)
24. 7-Dec-2015 ORDERED: Response to Courts Order Regarding Bankruptcy (Appellant) = taking no action on response. Melina Brill ProTem Judge - Author
25. 4-Jan-2016 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
26. 28-Jan-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
27. 9-Feb-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record (includes signed final judgment filed 6/25/15)
28. 7-Jul-2016 CLNDR: CONFERENCE, Department A, 9-13-16, COURTROOM 2.
29. 22-Sep-2016 MEMORANDUM DECISION (Affirmed) Hon Donn Kessler - Author; Hon Kenton D Jones Judge - Concur; Hon Randall M Howe - Concur
30. 22-Sep-2016 FILED: Memorandum Decision Distribution List
31. 7-Oct-2016 FILED: Motion for Extension of Time to File Motion for Reconsideration; Certificate of Service (Appellant)
32. 11-Oct-2016 ORDERED: Motion for Extension of Time to File Motion for Reconsideration (Appellant) = DENIED. Hon Donn Kessler - Author

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36 PROCEEDING ENTRIES

33.	25-Oct-2016	FILED: ASC Order filed 10/25/2016 re: extending time for filing Petition for Review to 11/28/2016
34.	29-Nov-2016	FILED: ASC Order filed 11/29/2016 re: extending time for filing Petition for Review to 12/28/2016
35.	29-Dec-2016	FILED: ASC Order filed 12/29/2016 re: extending time for filing Petition for Review to 01/17/2017
36.	18-Jan-2017	FILED: ASC Order filed 01/18/2017 re: extending time for filing Petition for Review to 02/15/2017